

# Board Meeting June 18-19, 2002

## Agenda Item Attachment 1

To request a Time Extension (TE) or Alternative Diversion Requirement (ADR), please complete and sign this form and return it to your Office of Local Assistance (OLA) representative at the address below, along with any additional information requested by OLA staff. When all documentation has been received, your OLA representative will work with you to prepare for your appearance before the Board. If you have any questions about this process, please call (916) 341-6199 to be connected to your OLA representative.

Mail completed documents to:

California Integrated Waste Management Board  
Office of Local Assistance, (MS 25)  
1001 I Street  
PO Box 4025  
Sacramento CA 95812-4025

### General Instructions:


For a Time Extension complete Sections I, II, III-A, IV-A, and V.

For an Alternative Diversion Requirement complete Sections I, II, III-B, IV-B and V.

### Section I: Jurisdiction Information and Certification

All respondents must complete this section.

I certify under penalty of perjury that the information in this document is true and correct to the best of my knowledge, and that I am authorized to make this certification on behalf of:

Jurisdiction Name City Of Downey		County Los Angeles	
Authorized Signature 		Title City Manager	
Type/Print Name of Person Signing Gerald M. Caton	Date 5-20-02	Phone (562) 904-7284	
Person Completing This Form (please print or type) Kathy Simmons		Title Integrated Waste Coordinator	
Phone (562)904-7103	E-mail Address ksimmons@downeyca.org	Fax (562) 904-7296	
Mailing Address 11111 Brookshire Avenue	City Downey	State CA	ZIP Code 90241

## Section II—Cover Sheet

This cover sheet is to be completed for each Time Extension (TE) or Alternative Diversion Requirement (ADR) requested.

### 1. Eligibility

Has your jurisdiction filed its Source Reduction and Recycling Element, Household Hazardous Waste Element, and Nondisposal Facility Element with the Board (must have been filed by July 1, 1998 if you are requesting an ADR)?

☐ No. If no, stop; not eligible for a TE or ADR.

☒ Yes. If yes, then eligible for a TE or ADR.

### 2. Specific Request and Length of Request

Please specify the request desired.

#### ☒ Time Extension Request

Specific years requested 2002 and 2003

Is this a second request? ☒ No ☐ Yes Specific years requested, \_\_\_\_\_  
(Note: Requests for an additional extension will need to address why the jurisdiction's efforts to meet the 50% goal by the end of the first extension were not successful.)

#### ☐ Alternative Diversion Requirement Request (Not allowed for Regional Agencies).

Specific ADR requested \_\_\_\_\_%, for the years \_\_\_\_\_.

Is this a second ADR request? ☒ No ☐ Yes Specific ADR requested \_\_\_\_\_%, for the years \_\_\_\_\_.

(Note: Requests for an additional ADR will need to address why the jurisdiction's efforts to meet 50% by the end of the first ADR period were not successful.)

**Note:** Extensions may be requested anytime by a jurisdiction, but will only be effective in the years from January 1, 2000 to January 1, 2006. An original request for a TE/ADR may be granted for any period up to three years and subsequent requests for TE/ADR may extend the original request or be based on new circumstances but the total number of years for all requests cannot total more than five years or extend beyond January 1, 2006.

### **Section IIIA—TIME EXTENSION**

Within this section, discuss your jurisdiction's progress in implementing diversion programs that were planned to achieve 50%. Provide any additional information that demonstrates "good faith effort." The CIWMB shall determine your jurisdiction's progress in demonstrating "good faith effort" towards complying with AB 939. Note: The answers to each question should be comprehensive and provide specific details regarding the jurisdiction's situation.

Attach additional sheets if necessary—please reference each response to the appropriate cell number (e.g., IIIA-1).

- 1. Why does your jurisdiction need more time to meet the 50% goal? Describe why SRRE selected programs did not achieve 50% diversion. Identify barriers to meeting the 50% goal and briefly indicate how they will be overcome.**

The City has met and exceeded the required goal each year since 1995 (31% 1995 / 45% 1996 / 32% 1997 / 42% 1998 / 58% 1999). The City has had a curbside recycling program in place since 1974 plus successful SRRE programs in place which have contributed in meeting the goals.

The City believes that there are major misallocation issues associated with illegal (or non-franchise haulers or unlicensed businesses that are assigning waste to the City), while the City attempted to reconcile these misallocations the necessary supporting documentation for making a misallocation claim to the Board could not be provided by the facilities contacted. Please see item 4 below.

Recognizing the difficulties with acquiring misallocation data from facilities, the City has decided to focus its efforts on improving reporting requirements as well as expanding existing programs.

- 2. Why does your jurisdiction need the amount of time requested? Describe any relevant circumstances in the jurisdiction that contribute to the need for a Time Extension.**

It will take City Staff time to create a C & D Policy and present it to Council for approval. Once the Ordinance is approved, it will take time to set into action. It will also take time to enforce an ordinance to curtail illegal hauling activities.

Also applies to Technical Assistance program to target the commercial sector.

- 3. Describe your jurisdiction's Good Faith Efforts to implement the programs in its SRRE.**

As stated in Section 1, the diversion rate for reporting year 2000 is 43%. The City has well established programs in place, including; residential recycling, school recycling, grasscycling (parks & schools), procurement.

As stated in Section 2, a C & D Ordinance would remedy the issue of materials management from re-development projects, as well as curtail illegal hauling activities through the City's project permitting process.

- 4. Provide any additional relevant information that supports the request.**

Disposal Reporting System Issue: After submitting the year 2000 report to the CIWMB in August 2001, Board Staff requested back up information justifying the tonnage adjustment request. Only limited back up was available (to be sent to the CIWMB) due to the fact that 14% of the tonnage (or 17,973.76 tons) detail information was either illegal hauler activity, unidentifiable or insufficient data was accessible. Since the most of the information was not available, that tonnage was not adjusted; therefore the diversion rate will be amended 43%. (Numerous requests were made to the facilities for the detail or back up information, however the facilities did not respond or were not compliant in supplying the requested information.) Please see Attachments A and B from the City's 2000 Annual Report for additional comments.

# **Section IV-A—PLAN OF CORRECTION**

A Plan of Correction is required by PRC Section 41820(a)(6)(B). The plan is fundamentally a description of the actions the jurisdiction will take to meet the 50% goal by the expiration of the Time Extension.

Attach additional sheets if necessary.

Residential %		40%	Non-residential %		60%	
PROGRAM TYPE Please use the Board's Program Types. The Program Glossary is online at: <a href="http://www.ciwmb.ca.gov/LGCentral/PARIS/Codes/Reduce.htm">www.ciwmb.ca.gov/LGCentral/PARIS/Codes/Reduce.htm</a>	NEW or EXPAND	DESCRIPTION OF PROGRAM	FUNDING SOURCE	DATE FULLY COMPLETED	ESTIMATED PERCENT DIVERSION	
Concrete/Asphalt/Rubble 4060-SP-CAR	Expand	Local Government Ordinance for C&D recycling. The ordinance will address building code permitting changes, C&D handling requirements, project diversion requirements, project waste management reporting (disposal / diversion).  Printed materials / guides will be made available as part of the new Construction and Demolition permitting process as set forth in new Local Government Ordinance.	N/A	12/2003	6%	
Commercial On Site P/U 2030-RC-QSP	Expand	Franchise Hauler to provide technical assistance to the largest 25 businesses to encourage diversion programs and promote Franchise Hauler rate incentives. The Franchise Hauler currently provides commercial recycling at a substantial discount. The purpose of this program will be to encourage more businesses to take advantage of the reduced rate for recycling and encourage more diversion.	Franch Hauler	12/2002	5%	
		Total Estimated Diversion Percent From New and/or Expanded Programs				11%
		Current Diversion Rate Percent From Latest Annual Report				43
		Total Planned Diversion Percent Estimated				54%

PROGRAMS SUPPORTING DIVERSION ACTIVITIES			
PROGRAM TYPE	NEW or EXPANDED	DESCRIPTION OF PROGRAM	DATE FULLY COMPLETED

**Section V – PARIS**

Office of Local Assistance staff will be reviewing your Jurisdiction's Planning Annual Report Information System (PARIS) database printout as part of the evaluation of your request. Should the Jurisdiction have updates or revisions to the program implementation from the latest Annual Report submitted to the Board, please attach to the application the Jurisdiction's PARIS database printout showing updates or revisions.

Contact your Office of Local Assistance Representative at (916) 341-6199 for a copy of PARIS, or go to the Board's website at [www.ciwm.ca.gov/LGCentral/PARIS/](http://www.ciwm.ca.gov/LGCentral/PARIS/).

Attachment A

City Of Downey - 2000 CIWMB Annual Report  
Attachment A - To Question A6

SWIS #	Facility / Reporting County	Tons	Reason
19-AA-0854	CalMat - Los Angeles County	(3,498.75)	Unidentifiable Tonnage - Records were requested from the facility and the representative from the facility stated the following: Records are not computerized. Hard copy records are archived at a remote location, and there is no one available to retrieve them. Jurisdiction and/or consultant is required to send a bonded individual plus pay for a 3rd party observer to review physical records due to proprietary information.
19-AA-0052	Chiquita - Los Angeles County	(227.27)	Insufficient Data / Unidentifiable Tonnage - Facility only provided partial detail records due to the fact that they had a mid-year internal tonnage database tracking system change. The detail records provided incomplete / minimal information on cash customers.
19-AA-0506	Commerce WTE - Los Angeles County	(130.14)	Non - Franchise Hauler - Company was identified on detail report provided by facility. Letter requesting verification / correction went out to hauler.
19-AA-0849	NuWay - Los Angeles County	(1,099.50)	Agency Loads - Los Angeles County Department of Public Works has offices in jurisdiction, however, does not do work in jurisdiction per jurisdiction's Public Works Department. This is a reporting issue with facility.
19-AA-0849	NuWay - Los Angeles County	(1,062.00)	Agency Loads - Downey Area Recycling & Transfer loads - MRF/TS is located in jurisdiction, however, these loads are not from jurisdiction per facility reporting representative. This is a reporting issue with facility.  DART SWIS - 19-AA-0801
19-AA-0849	NuWay - Los Angeles County	(1,338.00)	Unidentifiable Tonnage - Tonnage contributed by cash customers detail does not provide any way to verify origin of individual loads.
19-AA-0849	NuWay - Los Angeles County	(198.00)	Unlicensed Businesses - Specific companies were identified on detail report provided by facility. Letters requesting verification / correction went out to each business.
19-AA-0849	NuWay - Los Angeles County	(810.00)	Non - Franchise Haulers - Specific companies were identified on detail report provided by facility. Letters requesting verification / correction went out to each hauler.
30-AB-0035	Olinda - Orange County	(462.05)	Insufficient Data / Unidentifiable Tonnage - Facility only provided partial detail records due to the fact that they had a mid-year internal tonnage database tracking system change. The detail records provided incomplete / minimal information on cash customers.
19-AA-0053	Puente Hills - Los Angeles County	(2,842.21)	Non - Franchise Haulers - Specific companies were identified on detail report provided by facility. Letters requesting verification / correction went out to each hauler.
19-AA-0053	Puente Hills - Los Angeles County	(6,995.16)	Unlicensed Businesses - Specific companies were identified on detail report provided by facility. Letters requesting verification / correction went out to each business.

Total Tonnage Modification:

(18,663.08)



## **Attachment B – City of Downey / CIWMB 2000 Annual Report**

### **Subject: Reporting Issues**

In the process of gathering information to complete year 2000 AB939 Annual Report, several difficulties are being encountered. The City of Downey is contracted with an exclusive franchise hauler, which should alleviate some of the issues as far as tracking the waste and having some sort of balance at the end of the year.

The franchise hauler utilizes an effective tracking system, and takes actions to ensure that the most accurate records are kept. This is a lengthy process, which starts with the route driver, who is required to identify the load (origin and material) correctly at a facility's scale house. The driver is also required to turn in his paperwork (weight receipts) on a daily basis, with all of the pertinent information. From that point, the data is input and daily reports are generated to verify all driver and route information. At the end of the month, tonnage records are reconciled with monthly invoices from the individual facilities.

It would be helpful to the jurisdictions if the DRS information became available earlier in the year. This would allow more time for effective research and record verification.

Jurisdictions are subject to stringent reporting and record requirements; yet there don't seem to be equal requirements for the facilities where these jurisdictions' materials are being handled.

Facilities should be required to submit detailed quarterly reports to any respective jurisdiction included on their monthly tonnage report to the agencies. Information should include the following:

*Inbound Tonnage Reports* – Refuse disposal customer activity report by name  
(Listing: customer names, address, phone number, number of loads, material type, and total tonnage delivered)

*Diversion Reports* – Detailing how much of each material was diverted

*Outbound Tonnage Reports* (in the case of a MRF / Transfer Station) – Detailed by month, listing each facility and the total tonnage delivered from the City.

There should be data tracking requirements made so that facilities are able to submit accurate detail reports upon a jurisdiction's request.

Some problems have been encountered with two facilities. Detail reports were requested from one facility, and the representative informed us that detail records were only available from August 2000 through December 2000 due to a mid-year database system change (also, there were no detail records available on cash and credit card customers). How are records from the first part of the year supposed to be verified?

A request was made for the same type of report from a "C&D" facility, and we were told that they do not have the capability to run such a report, and that we would have to go through their physical tickets / records to retrieve the necessary information. A second conversation revealed that the facility cannot provide the information since it was being stored at a remote location, and that they did not have any personnel available to retrieve the records. The representative

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(from the second conversation) also noted that their record keeping system was not computerized and that they used "no scales whatsoever". He also informed us that if we were to inspect the physical records, that the jurisdiction (or consultant) would have to send a bonded individual plus pay for a 3<sup>rd</sup> party observer (to be present for the research) since there was proprietary information involved.

Facility information needs to be updated on the CIWMB's SWIS database. Some of the facility information was useful, however some of the information was lacking or outdated. A current contact and phone number (for the respective facility) for reporting would be extremely useful.

How is a jurisdiction supposed to effectively deal with these issues? If there are errors in the numbers reported to the DRS, and information is not available to the jurisdictions to make corrections, what action can a jurisdiction take? How can this be resolved?